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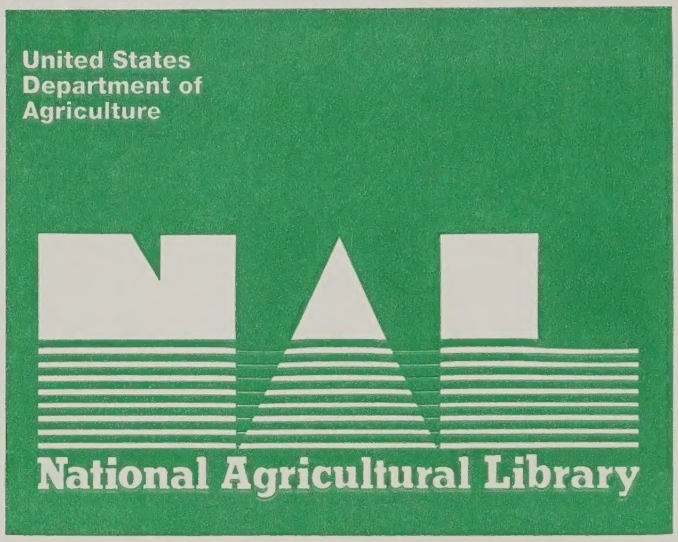
Drew Creek, Diamond Rock and Divide Cattle Allotments

Final Environmental Impact Statement
Record of Decision

Tiller Ranger District
Umpqua National Forest

Historic Photograph, Umpqua National Forest 1922



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Introduction

This Record of Decision (ROD) documents my decision and rationale for the selection of the alternative to be implemented for the Drew Creek, Diamond Rock and Divide Cattle Allotments Project. The Tiller Ranger District has permitted livestock grazing as a component of its multiple-use program for over 40 years. Since 1987, grazing has been authorized through Term Grazing Permits for six allotments. The six allotments, frequently referred to as the "historic allotments", are Drew Creek, Diamond Rock, Divide, Summit, Acker Divide and Whisky Camp. All permits have expired. The expired permits were subsequently reissued under the Recission Act (Public Law 104-19 Section 504). The goal of the project is to provide a livestock grazing program on the Tiller Ranger District. The project area contains 129,350 acres. National Forest System land comprises 121,197 acres of the project area. The remaining 8,153 acres consists of private land, which the Forest Service administers for grazing under a cooperative agreement with a local timber company.

The project area, comprised of the historic allotments, is situated in the Umpqua River and Rogue River basins. Its legal description includes all or portions of: T29S R1W Sections 13-14, 23-27, 33-36; T29S R1E Sections 13-36; T29S R2E Sections 18-20, 28-33; T30S R2W Sections 13, 23-28, 33-36; T30S R1W Sections 1-5, 7-9, 11-15, 17, 19-36; T30S R1E Sections 1-36; T30S R2E Sections 4-9, 16-18; T31S R2W Sections 1-3, 10-14, 23-27, 34-36; T31S R1W Sections 1-15, 17-36; T31S R1E Sections 2-9, 16-20, 30; T32S R3W Sections 12-13, 24-25; T32S R2W Sections 1-35; and T32S R1W Sections 1-11, 14-19, Willamette Meridian, Douglas County & Jackson County, Oregon. The project area contains the affected communities of Tiller and Drew; and is located approximately 30 air-miles southeast of Roseburg and 38 air-miles north of Medford.

The project area encompasses four land allocations established in the Record of Decision for amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl (Northwest Forest Plan). The affected land allocations include Late-Successional Reserves, Administratively Withdrawn Areas, Riparian Reserves and Matrix.

There are eight 5th field watersheds within the project area. These watersheds are Upper South Umpqua, Middle South Umpqua, Jackson Creek, Elk Creek and Cow Creek in the Umpqua River Basin; and Elk Creek, Trail Creek and Evans Creek in the Rogue River Basin. Except for Cow Creek, these watersheds have been designated as Tier 1 Key Watersheds. Watershed analysis have been completed for all watersheds within the project area.

The Umpqua National Forest Land and Resource Management Plan (LRMP) clearly states that livestock grazing is allowed on suitable lands provided it is conducted in a manner that is compatible with other resource objectives. The integration of grazing with other resources values is to be accomplished through management prescriptions in the Forest Plan (LRMP IV 143-224). Grazing is to be assessed for consistency with Forest Plan Standards and Guidelines through monitoring of livestock use within key areas.

I determined that the Proposed Action and its effects could best be analyzed and disclosed to the public through an Environmental Impact Statement (EIS) following the National Environmental Policy Act (NEPA). A Notice of Intent to prepare an EIS was published in the Federal Register on April 2, 1999. Based on comments received for the Draft Environmental Impact Statement, which was published on May 25, 2001, I decided to include and fully analyze an alternative developed by the South Umpqua Grazing Association (SUGA), a local ranching group of which the permittees are members. On July 16, 2002, the Umpqua National Forest published a Notice of Intent in the Federal Register to prepare a Draft Supplemental EIS to address the Association's

alternative. Following final receipt of the alternative from SUGA, another Notice of Intent was published in the Federal Register on September 8, 2004 to clarify the alternatives contained in the Draft Supplemental EIS. This was followed by a July 29, 2005 Notice of Availability in the Federal Register and release of the Drew Creek, Diamond Rock and Divide Draft Supplemental Environmental Impact Statement (DSEIS) for public review. The Final EIS (FEIS) accompanies this Record of Decision.

Purpose and Need for Action

I established a five-fold purpose and need for this project. The purpose for this Proposed Action is to continue the authorization of livestock grazing in a manner that is consistent with the Forest Plan. Authorization is needed for the project because:

1) Where consistent with other multiple use goals and objectives, there is Congressional intent to allow grazing on suitable lands. A number of laws, including the Multiple Use-Sustained Yield Act (1960), the Forest and Rangeland Renewable Resources Planning Act (1974) and the National Forest Management Act (1976), clearly convey this intent.
2) The allotments contain lands identified as suitable for livestock grazing in the Forest Plan, and continued livestock grazing is consistent with the goals, objectives, standards and guidelines of the Forest Plan (Forest Plan Chapter IV).
3) It is Forest Service policy to make forage available to qualified livestock operators from lands suitable for grazing consistent with land management plans (FSM 2203.1). The Tiller Ranger District historically has permitted grazing as a component of its multiple-use program. Presently, Term Grazing Permits are issued to four local ranchers.
4) It is Forest Service policy to continue contributions to the economic and social well-being of people by providing opportunities for economic diversity and by promoting stability for communities that depend on range resources for their livelihood (FSM 2202.1). Livestock grazing is important to the Tiller area. It is an integral aspect of local culture, as well as a basis for its rural lifestyle and traditions. Several local families rely on public land grazing to complement their ranch operations. These small family operations are collectively important to the local community.
5) By regulation, forage producing lands will be managed for livestock grazing where consistent with land management plans (36 CFR 222.2 (c)). The Forest Plan, as amended by the NWFP, contains provisions to implement this direction. While there is no designated rangeland allocation or Management Area for livestock grazing, the Forest Plan provides direction for implementing a grazing program on transitory range, and in a manner that leads to a stable or upward vegetation trend, as well as one that is compatible with other resource objectives.

I established an interdisciplinary team to help me develop a proposal to meet the Purpose and Need. Resource specialists at the Tiller Ranger District and Forest resource staff conducted field reconnaisance, studied monitoring records and engaged the public in order to develop the

Proposed Action. Once the Proposed Action was developed, I initiated the NEPA process, including scoping, which continued the extensive public participation effort.

In brief, the Proposed Action would authorize a maximum of 346 cow/calf pairs, or 1,903 head months (HM) to graze on 51,950 acres within the Drew Creek, Diamond Rock and Divide Allotments, as well as on the Pickett Butte and Joe Hall pastures of the Summit Allotment and Collins Ridge pasture of the Acker Divide Allotment. The grazing season would extend from May 1 to October 31, with one-half of the authorized numbers to be removed from the range by September 30. Scoping on the Proposed Action generated a number of potential conflicts over the alternative uses of natural resources. These conflicts are referred to as issues in NEPA.

Issues

In response to the Proposed Action, eight significant issues were identified by the public and the Forest Service. Significant issues were then used to develop alternatives to the Proposed Action. These issues, which are found in the Final Environmental Impact Statement (FEIS) in Chapter I, pages 14-16, are:

Social and Economic Effects on Permit Holders and Local Communities

There presently are four permit holders. The permittee ranches are small, family-run businesses, and are deeply-rooted in the Tiller and Drew communities. They rely on public rangelands to supplement their operations. One permittee has been using the same range for over 40 years, operating a ranch that has been in the same family for four generations. This lifeway has enabled a "traditional rural lifestyle" that provides meaningful ranching work, multi-generational ownership of cattle, residency within the local community and a future for the children. Over the years, the permitted numbers of cattle have decreased. The concern raised during scoping is that the Proposed Action has the potential to reduce economic returns to permittees, jeopardize ranching operations and threaten traditional lifestyles as well as create financial hardship by reducing overall economic activity in the affected local communities.

Permittee Operational Feasibility

There are varying degrees of difficulties in running cattle on the range. The probability of potential resource conflicts greatly affects the ease of managing cattle. It is difficult to run livestock and comply with utilization standards on high-risk grazing environments, particularly those on earthflow terrain. Not all permittees are full-time ranchers, which limits the amount of time they are able to economically devote to active herd management and monitoring. Nevertheless, permittees are required to meet certain utilization standards in order to comply with the Forest Plan, and the Forest Service expects permittee commitment to conform to the Term Grazing Permits, which implement the Forest Plan. The lack of completely fenced allotments and the forested range conditions also exacerbate range operations. The concern raised during scoping is that the Proposed Action would substantially reduce the number of livestock while requiring additional and more stringent grazing provisions to guide permittee practices. The assertion is that these requirements would increase commitments of permittee resources beyond their existing capabilities, especially in light of reduced numbers of cattle. These actions ultimately affect the feasibility of grazing on public lands.

Forest Service Administrative Feasibility

Declining Forest Service budgets have constrained the management of resources, including range administration. Allocations for the Forest range program have varied over the years, but have been adequate to administer authorized livestock use. On the revenue-side of the ledger, the grazing fees collected for authorized use have been substantially less than the cost of administration. Under the present grazing fee schedule, which is based on Executive Order 12548, it is unlikely that there will be parity between costs and revenues. The concern raised during scoping is that the Forest grazing program is too costly and the general public is being forced to pay a "subsidy" for public land grazing.

Detrimental Soil Conditions

On gently-sloping lands where timber harvests have occurred, compaction and displacement of soils from harvest activities, road construction and grazing have altered soil structure on 20 to 60 percent of the harvest units acres. The Forest Plan contains a soil productivity standard that limits detrimental soil conditions to no more than 20 percent of an activity area (LRMP IV-67). The concern raised during scoping is that timing of livestock turn-out in the spring can potentially affect soil compaction.

Winter Range Forage Use

The Forest Plan allocates Management Area 11 for big game winter range habitat (LRMP IV 132-135), and contains prescriptions for its management (LRMP IV 195-198). According to these prescriptions, big game has priority for forage within this allocation. Browse production and spring regrowth of grasses and forbs are to be reserved for big game until May 1; and fall regrowth of grasses is to be reserved beginning October 30. The concern raised during scoping is the competition for forage between livestock and big game.

Unique Habitats

Unique habitats are features within the forest that provide unique wildlife and plant values; and, generally consist of places where combinations of soil, hydrological and climatic conditions preclude coniferous cover. They include, but are not limited to meadows, unique or rare plant communities, caves, cliffs, talus, rock outcrops, mineral deposits, elk wallows, shrub lands, Oregon ash swales, wetlands, ponds, and other natural openings with high wildlife values. The Forest Plan contains management prescriptions for integrating livestock use within areas designated as unique habitats (LRMP IV 200-201). The intent of this prescription is to provide maximum protection for wildlife values. With respect to livestock use, the prescription allows only incidental use on areas currently within allotments. No concentrated livestock use is permitted. The concern raised raised during scoping is the need to protect unique habitats from damage by livestock.

Sedimentation

Compared to the range of natural variability, low gradient earthflow streams (less than four percent gradient) tend to produce higher fine sediment levels and embeddedness than steeper earthflow channels or non-earthflow streams when impacted by management activities. Livestock can affect sediment production in two ways. Overgrazing in riparian zones can lead to soil eroson from bare ground; and hoof shear within channels can directly deposit material into streams. The amount of fine sediment affects emerging fish survival in spawning gravels; and the

level of embeddedness is an indicator of sedimentation problems. The concern raised during scoping is that livestock-induced sediment may be delivered to downstream habitats of at-risk fish species.

Stream Morphology

Not all stream channels are equally sensitive to livestock grazing. There are high gradient streams that cattle avoid using; and those with well-armored, rocky channels resistent to grazing impacts. However, a large proportion of existing aquatic habitat modification has taken place on earthflow terrain, a landform that is commonly found in most watersheds. Trampling damage from overuse of riparian zones can significantly alter stream channel shape in terms of disruption and erosion of streambanks, widened channels and decreased sinuosity. Repeated impacts tend to accumulate, leading to loss of habitat through simplification of channels and destabilization of streambanks. The concern raised during scoping is the need to protect streambanks and riparian zones from livestock damage.

Alternatives Considered in Detail

Three action alternatives and a no action alternative are described in detail in the FEIS at Chapter II pages 19-33. They are shown below. The following tables summarize the livestock use parameters associated with each alternative.

Summary of Permitted Numbers, Livestock Use, Season of Use and Allotment Acreage by Alternative

Use Parameters	Alternative 1	Alternative 2 (Proposed Action)	Alternative 3 (SUGA Proposal)	Alternative 4 (No Grazing)
Permitted Numbers	216 cow/calf pairs	346 c/c pairs	450 c/c pairs	0
Permitted Use (HM)	1188 Head Months	1903 HM	2745 HM	0
Season of Use	May 1-Oct 31	May 1-Oct 31	May 1-Nov 15	None
Allotment Acreage	36,230 acres*	51,950 acres*	128,790 acres*	0

*Does not include the 560-acre Squaw Flats Research Natural Area

Permitted Numbers and Livestock Use for Allotments by Alternative

Allotments	Alternative 1	Alternative 2 (Proposed Action)	Alternative 3 (SUGA Proposal)	Alternative 4 (No Grazing)
Drew Creek*	60 c/c pairs – 90 HM	60 c/c pairs – 90 HM	80 c/c pairs – 304 HM	0
Diamond Rock*	140 c/c pairs – 680 HM	140 c/c pairs – 680 HM	100 c/c pairs – 550 HM	0
Divide	76 c/c pairs – 418 HM	76 c/c pairs – 418 HM	20 c/c pairs – 122 HM	0
Summit	0	80 c/c pairs – 440 HM	165 c/c pairs – 1006 HM	0
Acker Divide	0	50 c/c pairs – 275 HM	75 c/c pairs – 458 HM	0
Whisky Camp	0	0	50 c/c pairs – 305 HM	0

*The numbers shown are the maximum numbers permitted in each allotment during the grazing season, and would not exceed a total of 140 cow/calf pairs for the Drew Creek and Diamond Rock Allotments. The sum of cow/calf pairs for individual allotments does not equal the total because cattle would be moved between the allotments during the grazing season. The head month figures accurately specify the maximum amount of livestock use for each allotment.

Alternative 1:

This alternative responds to the issues of permittee operational and Forest Service administrative feasibility, as well as degradation of natural resources. This alternative represents a small, but reasonable and workable range program for the Tiller Ranger District. It was the basis for building the District range program through adaptive management.

This alternative is a grazing program that has been successfully implemented on the District for the past seven years through adaptive management. It authorizes a maximum of 216 cow/calf pairs, or 1,188 HM, to graze on three Tiller District livestock allotments. These allotments are Drew Creek, Diamond Rock and Divide. They total approximately 36,230 acres in size. The northern boundary of the historic Divide Allotment is modified to prevent livestock from using the upper reaches of Flat Creek, which provides important aquatic refugia habitat for salmonids. The grazing season would extend from May 1 to October 31, with use timed in a manner that one-half of the authorized numbers would be removed from the range by September 30, while the remainder would be removed by the October 31 off-date. Livestock turn-out in the spring would be based on a combination of vegetation and soil moisture readiness. Under this grazing configuration, Drew Creek and Diamond Rock Allotments would be managed conjunctively. The Drew Creek Allotment would only be grazed early in the season, until June 15th, at which time all 60 cow/calf pairs would be moved to Diamond Rock Allotment to join the 80 pairs athorized to turn-out there. The livestock utilization standards under which this alternative would be implemented are shown at Table 1 below. They would be included in the AOI. The Monitoring Plan is shown at Appendix F in the FEIS.

Alternative 2: Proposed Action

The Proposed Action was developed to meet the purpose and need. It responds to the issues of maintaining a local public lands grazing program that contributes to the economic and social well-being of permittees and affected local communities, operational and administrative feasibility and reducing degradation of natural resources.

This Proposed Action would permit a maximum of 346 cow/calf pairs, or 1,903 head months, to graze on all or portions of five Tiller Ranger District livestock allotments. They include the Drew Creek, Diamond Rock and Divide Allotments, as well as the Pickett Butte and Joe Hall pastures of the Summit Allotment and the Collins Ridge pasture of the Acker Divide Allotment. The total grazing acreage for all allotments would be approximately 51,950 acres. The grazing season would extend from May 1 to October 31, with use timed in a manner that one-half the authorized numbers would be removed from the range by September 30, while the remainder would be removed by October 31 off-date. Livestock turn-out in the spring would be based on a combination of vegetation and soil moisture readiness. Like Alternative 1, the Drew Creek and Diamond Rock Allotments would be managed conjunctively. The Drew Creek Allotment would only be grazed early in the season, until June 15th, at which time all 60 cow/calf pairs would be moved to Diamond Rock Allotment to join the 80 pairs already there. In addition, this alternative would require drift fences and cattleguards to prevent cattle from accessing the Jackson Creek corridor. The livestock utilization standards under which this alternative would be implemented are shown at Table 1 below. They would be included in the AOI. The Monitoring Plan is shown at Appendix F in the FEIS.

The Proposed Action builds on the successful grazing program described in Alternative 1. Using adaptive management and working with the South Umpqua Grazing Association and the regulatory agencies, District staff identified three portions of two existing allotments (Summit and Acker Divide) that met the low to moderate risk parameters for livestock-induced impacts, and where permittees felt they could reasonably implement a grazing program that would meet desired conditions. This adaptive management strategy has allowed grazing use of the Pickett Butte and Collins Ridge pastures for the past three seasons. Monitoring has shown that grazing on these two pastures can be successfully implemented. The final use of those two pastures, along with the proposed use of the Joe Hall pasture, will be determined by monitoring and adjustments of livestock use over time for this alternative.

Alternative 3: South Umpqua Grazing Association Proposal

As I stated earlier in this ROD, I decided to include and fully analyze a proposal from the South Umpqua Grazing Association regarding the future of the Tiller Ranger District grazing program. This is the alternative submitted by the association. It responds to the issue of social and economic effects to permit holders and affected local communities. The alternative intends to minimize severe disruptions to permittees and their opportunity to graze on public lands, as well as to provide for local economic stability and continuation of the traditional rural lifestyle.

This alternative would permit a maximum of 450 cow/calf pairs, or 2,745 HM, to graze within all six historic Tiller livestock allotments. These allotments are Drew Creek, Diamond Rock, Divide, Summit, Acker Divide and Whisky Camp. They total 128,790 acres in size. The grazing season would extend from May 1 to November 15, with use timed in a manner that 80 percent of the authorized numbers are removed by October 31, while the remaining 20 percent would be removed by the November 15 off-date. Turn-out of livestock in the spring would be based only on vegetation readiness. Under this grazing configuration, Drew Creek and Diamond Rock Allotments would be managed conjunctively. However, unlike Alternatives 1 and 2, the Drew Creek Allotment would be grazed for the full grazing season, beginning with a turn-out of 80 cow/calf pairs. On June 15th, 40 pairs would be moved to Diamond Rock Allotment to join the 60 pairs already grazing there, while the remaining 40 pairs would continue to graze in the allotment until the scheduled removal dates. The livestock utilization standards under which this alternative would be implemented are shown at Table 1 below. These standards differ from those defining Alternatives 1 and 2, as do the mitigation measures. According to SUGA, these standards are adjustments to more accurately reflect its past monitoring of the grazing program, and to meet acceptable reductions in forage cover. They would be included in the AOI.

SUGA proposes to use the Forest Service Monitoring Plan format, but apply the utilization standards set forth under this alternative. This monitoring plan would exclude monitoring for soil moisture readiness and streambank stability, and recommend that turbidity not be measured under the water quality protocol.

This alternative proposes the highest livestock use of all the alternatives as well as the longest grazing season. It would discontinue use of the Tallow corral, necessitate fencing of a wallow in the RAWS meadow near Tallow Butte, and require active herd management at the Beaver Creek bridge to avoid livestock impacts to known archaeological sites. The conversion of Drew Creek Allotment to full-season grazing is intended to help control forage growth and aid in the control of fire for private property and dwellings. Like the other action alternatives, this alternative would also employ adaptive management strategies. According to SUGA, this grazing program would restore and maintain the natural resources and species at risk. SUGA believes its alternative would have minimal impacts on riparian areas, fish habitat, water quality, soil productivity, plant communities and the Aquatic Conservation Strategy.

Three project level Forest Plan amendments would be implemented with Alternative 3. These amendments would change a Standard and Guideline for soil productivity and change the management prescriptions for winter range and unique habitats.

Soil productivity Standard and Guideline #1 currently defines an increase in soil bulk density of 15 percent or more over the undisturbed level, or a macropore space reduction of 50 percent or more, as criteria for unacceptable soil condition (LRMP IV 67). By allowing grazing to take place under moist soil conditions when detrimental soil compaction would occur, Alternative 3 is inconsistent with the intent of this Standard and Guideline. A project level Forest Plan amendment would allow livestock to use the range under moist soil conditions during early spring

and the extended season in the fall by eliminating the current thresholds for detrimental soil compaction with respect to livestock use. To accomplish this change, Standard and Guideline #1 would be amended to exempt livestock use from the standard.

With respect to winter range, the current Forest Plan prescription (LRMP IV 195-198) reserves forage for big game use from October 30 to May 1. Alternative 3 proposes to extend the grazing season to November 15. Considering the way winter range is distributed within allotments under this alternative, livestock would be using portions of winter range during the extended season. A project level Forest Plan amendment would allow this additional usage by changing the use period. To accomplish this change, Prescriptions C4-I and C4-II would be amended to reserve forage for big game from November 16 to May 1 to allow livestock use until November 15.

The prescription for Wildlife – Unique Habitats, Protected (LRMP IV 200) currently allows incidental use, but not concentrated livestock use. The utilization standards associated with Alternative 3 would result in more than incidental use in unique habitats. A project level Forest Plan amendment would allow for the additional usage by eliminating the incidental use constraint for livestock. To accomplish this change, Prescription C5-I would be amended to permit concentrated use by livestock in unique habitats.

Alternative 4: No Action

This alternative would eliminate permitted livestock grazing on all Tiller Ranger District Allotments, following a three-year phase out of the permits. All cattle would be removed from the range, and all livestock-induced effects would cease. The use of available forage by livestock on transitory range would be eliminated. No additional structures would be constructed, while existing structures, such as fences, exclosures, and corrals would be removed. The cooperative grazing agreeement with a local timber company would be cancelled.

Four local permit holders would lose their Term Grazing Permits. Without this public land grazing component, their ranching operations would likely be reduced. They would no longer derive income afforded by their permited use of public lands, but there also would no longer be associated costs. For the affected families, this alternative would represent the "passing of a lifestyle" enjoyed for generations.

The Tiller Ranger District would no longer provide permitted livestock grazing as a component of its multiple-use program. There would no longer be revenues from grazing fees, or costs associated with administering the range program.

Table 1
Grazing Utilization Standards by Alternative

Use Component	Alternative 1	Alternative 2 Proposed Action	Alternative 3 SUGA Proposal	Alternative 4 No Grazing
Unique and Mosaic Habitats (UMH), Dry Habitats	25% forage use by weight	25% forage use by weight	40% forage use by weight	No impacts by livestock
UMH, Wet Habitats	10% reduction in structure (cover)	10% percent reduction in structure (cover)	25% use of forage by weight	No impacts by livestock
Riparian Zone	25% forage use by weight	25% forage use by weight	35% forage use by weight	No impacts by livestock
Streambanks	20%/10% instability	20%/10% instability	No provision for streambank protection	No impacts by livestock
Transitory Range	50% forage use by weight	50% forage use by weight	50% forage use by weight	No livestock use
Plantations, Seedlings	10% cumulative trampling damage	10% cumulative trampling damage	10% damage to trees	No damage by livestock
Plantations, Protective Devices	20% cumulative damage to tubes	20% cumulative damage to tubes	20% damage to tubes	No damage by livestock
Instream Use	No entry prior to July 1	No entry prior to July 1	No entry prior to July 1	No entry by livestock
Cultural Resource Sites	Avoid impacts	Avoid impacts	Avoid impacts	No impacts by livestock
Range Readiness, Plant Phenology	Turn-out subject to vegetation readiness	Turn-out subject to vegetation readiness	Turn-out subject to vegetation readiness	No turn-out
Range Readiness, Soil Moisture	Turn-out subject to soils readiness	Turn-out subject to soils readiness	No provision for soils readiness	No turn-out
Off-Date	October 31	October 31	November 15	Not Applicable
Turn-In Schedule	50% of authorized numbers by Sept 30; remainder by Oct 31	50% of authorized numbers by Sept 30; remainder by Oct 31	80% of authorized numbers by Oct 31; remainder by Nov 15	Not Applicable
Monitoring Plan	In-place	Shown in Appendix F	Will use monitoring plan format developed by the Forest Service, but apply its own standards.	No monitoring plan needed

Explanatory Notes:

-Grazing Use Percentages: The percentages represent thresholds. For example, for UMH, Dry Habitat, use shall not exceed more than 25% utilization by weight.

-To determine use percentages, measurements of grazed areas are compared with control plots, or utilization cages, in key areas or reference sites.

-Streambanks: The percentages (20%/10%) mean "No more than *20* percent bank instability, attributable to all causes, in key reaches (perennial stream reaches with gradients of less than four percent). No more than an average of *10* percent bank instability, attributable to all causes, along all perennial streams within each allotment.

Decision and Changes between Draft and Final

I have decided to implement Alternative 2 as described in the Final Environmental Impact Statement (FEIS). There are five aspects of Alternative 2 as described in the DSEIS that have been revised in the FEIS. These modifications of Alternative 2, which are now incorporated into the FEIS, are:

The DSEIS was unclear as to responsibility for monitoring and maintaining range structures and facilities, such as exclosures, cattleguards, fences and water developments. Under current practices, both the Forest Service and permittees are responsible for monitoring the condition of these improvements. Except for cattleguards, which the Forest Service maintains as part of its

road maintenance responsibility, other maintenance would be the responsibility of the permittees. Assignments are prescribed in each Term Grazing Permit.

My decision to clarify monitoring and maintenance responsibilities was prompted by written input and discussions with some members of the public during the 45-day DSEIS review and comment period. Because of questions, it became clear to me that these points were not clearly stated in the DSEIS.

The DSEIS did not clearly convey our intent to comply with the Riparian Reserves Standards and Guidelines for grazing management in the Northwest Forest Plan. We are complying with these standards on-the-ground, but I agree that our intentions must be clearly stated in writing, as well.

My decision to clarify our intention to comply with grazing in the Riparian Reserves was prompted by written input during the 45-day DSEIS review and comment period, as well as in discussions with my staff.

On January 10, 2006, a U.S. District Court ruling reinstated the Survey and Manage Program under the Northwest Forest Plan. Since this ruling occurred after the FEIS had been prepared and printed, an additional analysis in the form of a Supplemental Information Report was prepared to update the FEIS. This analysis demonstrates that this project is in compliance with requirements to survey for, and management recommendations to protect, affected species.

My decision to prepare a Supplemental Information Report was prompted by new information received since the publication of the DSEIS. This analysis is shown in the Errata Sheet to the FEIS. I have also decided to include mitigation to protect one known site and to monitor five known and high-priority sites.

On January 19, 2006, the National Marine Fisheries Service determined that the Oregon Coast coho salmon is not warranted for listing. This species is now classified as a U.S. Forest Service Region 6 Sensitive Species. A supplement to the Aquatic Biological Evaluation has been prepared. The analysis concluded that the change in status does not materially alter the original biological analysis.

This supplemental analysis was prompted by new information received since the publication of the DSEIS. The analysis is shown in the Errata Sheet to the FEIS.

The FEIS has been strengthened by incorporating two additional years of monitoring data. Monitoring reports were not available for the 2004 and 2005 grazing seasons when the DSEIS was published. Summaries of seven-years of monitoring records are disclosed in Appendix J of the FEIS.

Adaptive Management

Adaptive management has been described in various ways, but one practical description can be stated: Implement what you know, learn as you implement and apply what you learn.

The District grazing program has followed this adaptive approach following the inception of the Northwest Forest Plan when it became clear that changes were needed on the range to comply with the Forest Plan, as amended.

Studying information from the historic (pre-1999) program, resource specialists concluded that much of the substantive grazing conflicts involved certain features or habitats that are commonly associated with the earthflow terrain landform. This landform has gentle slopes, fine-textured soils, as well as a high incidence of wetlands. Among the affected habitats were low-gradient streams, bogs, ponds, Oregon ash swales and meadow mosaics. These features are identified as Riparian Reserves and unique and mosaic habitats in the Forest Plan. Livestock are clearly

attracted to use this landform because of its abundant forage and season-long grazing afforded by its many wet areas, as well as by the gentle gradients for traveling and the readily accessible water sources. Monitoring indicated that livestock overused Riparian Reserves, and adversely impacted habitat for many native aquatic and terrestrial species. Landforms that support high concentrations of these features were therefore considered to be high-risk environments for livestock-induced damage.

In adapting an initial grazing program that would comply with the Forest Plan, as well as one that would be reasonable for the livestock permittees to implement, the District chose to address the level of grazing on a landform-scale rather than by attempting to manage features individually on the landscape, as it had been doing historically. After eliminating high-risk earthflow terrain landforms from livestock use, the District identified reasonably contiguous lands where environmental parameters or conditions were considered to be low to moderate risks for livestock impacts. These residual lands have in common the following "low-risk" landscape elements: a) low occurrences of earthflow terrain; b) few fish-bearing streams; c) preponderance of high-gradient streams; d) low densities of unique and mosaic habitats, including wetlands; and e) adequate upland transitory range (in the form of certified conifer plantations) that provide good forage. This strategy intends to confine livestock grazing to landforms that are most resilient to impacts, and to provide for the easiest management of cattle. The strategy also adapted methodologies for monitoring streambank stability and vegetation cover in wetland habitats, two critical resource elements that were inadequately addressed in the historic livestock program. In this manner, this adaptive approach has led to consistency with the Aquatic Conservation Strategy. The operational outcome of implementing this strategy was a large reduction in allotment acreage, and in livestock numbers and use, as compared to the historic grazing program. Because it significantly reduces the potential for resource conflicts, however, this approach will reduce the intensity of management required and result in reduction in costs for permitttees and the Forest Service once successful patterns of use are developed. Over the long-term, this approach will increase the feasibility of operations on the range.

In 1999, this low-risk approach for managing livestock on the range was implemented as described under Alternative 1; and the strategy of yearly monitoring and adjustments based on monitoring results have resulted in a livestock grazing program that is consistent with the Forest Plan, as amended. Based on this proven track record of successful adaptive management, the livestock program was reassessed in 2003. This iteration concluded that additional grazing opportunities could be provided within existing allotments that have similar environmental parameters. Several changes, or adaptations, have contributed to successful implementation. There has been an emergence of better working relationships between the permittees and District staff that strives to develop common understanding of resource problems and common solutions to reduce risks. For example, both parties jointly consulted with the National Riparian Service Team (NRST) during its service assistance visit to Tiller to discuss Proper Functioning Condition (PFC) assessments. Furthermore, there have been increased efforts among permittees to monitor use, and willingness to change their management practices, which have resulted in more consistent compliance with grazing use standards. One permittee reduced permitted cattle numbers to a level commensurate with available resources for managing livestock on the range. There has been more strategic placement of cattle on the range during spring turn-out in order to avoid resource conflicts and to assure better distribution of use. Permittees are presently deploying supplements as a means of modifying cattle distribution on the range, with the objective of attracting more cattle use to certified plantations, and away from riparian areas. Finally, seven years of monitoring results have validated the efficacy of this adaptive strategy.

Meeting the Need for Action

The Need to Meet Congressional Intent to Allow Grazing on Suitable Lands Where Consistent with other Multiple Use Goals and Objectives

Alternatives 1 and 2 meet this need through the application of management prescriptions in the Forest Plan. According to monitoring reports, these alternatives meet Forest Plan direction and Standards and Guidelines. No significant damage would occur in implementing these alternatives. Alternative 2 is preferable because it provides more grazing opportunities on suitable lands than Alternative 1.

For Alternative 3, grazing as proposed would be implemented in a manner that would not be consistent with three multiple use goals and objectives without Forest Plan amendments. This alternative would not be consistent with the current Forest Plan for Soil Productivity Standard and Guideline #1 because it does not conform to its intent for limiting detrimental soil compaction. In addition, the alternative would not be consistent with the current Forest Plan for Prescriptions C4-I and C4-II (Winter Range – Normal and Four-Part Winter Range – Optimum) because it allows cattle to use winter range at times when forage is reserved for big-game. Finally, the alternative would not be consistent with the current Forest Plan Prescription C5-I (Wildlife – Unique Habitat, Protected) because livestock use of this habitat component exceeds incidental use.

Alternative 4, the No Grazing Alternative, will not allow livestock grazing on suitable lands because it discontinues the range program.

The Need for Grazing to be Consistent with the Goals, Objectives, Standards and Guidelines of the Forest Plan

Under Alternatives 1 and 2, the allotments contain suitable transitory forage lands in the form of certified conifer plantations that could be utilized by livestock by applying Forest Plan direction for livestock use on Forest lands. The integration of grazing use and resource sustainability is accomplished through application of Forest Plan management prescriptions and Standards and Guidelines that regulate livestock use. Both alternatives would be implemented in a manner that is consistent with the Forest Plan, which has been demonstrated through monitoring. Given this Forest Plan consistency, Alternative 2 is preferable because it provides more grazing acreage than Alternative 1.

Under Alternative 3, the allotments also contain suitable transitory forage lands in the form of certified conifer plantations that could be utilized by livestock, but SUGA proposes to use its own utilization standards to implement grazing. This approach is not consistent with the current Forest Plan because the integration of grazing use and resource sustainability would not be accomplished through the application of Forest Plan management prescriptions and Standards and Guidelines that regulate livestock use for soil productivity, winter range and unique habitats. Consequently, without Forest Plan amendments, this alternative would be implemented in a manner that is not consistent with the Forest Plan for the reasons discussed in the foregoing section.

Alternative 4 does not meet the Forest objective of maintaining grazing allotments (LRMP IV 40).

The Need to Make Forage Available to Qualified Livestock Operators from Lands Suitable for Grazing Consistent with Land Management Plans

Alternatives 1 and 2 offer forage opportunities to qualified livestock operators from suitable lands in a manner that is consistent with the Forest Plan through the application of Forest Plan management prescriptions. Monitoring has demonstrated this consistency. There would likely be four qualified livestock operators who would be permit holders under both alternatives. Compared to Alternative 1, Alternative 2 is preferable because it would provide more forage base to qualified livestock operators.

As proposed, Alternative 3 offers forage opportunities to qualified livestock operators, but not in a manner that is consistent with the Forest Plan. Under this alternative, there would certainly be four operators who would be permit holders. Without the Forest Plan amendments, this alternative would be implemented in a manner that is not consistent with the current Forest Plan for the same reasons discussed above.

Alternative 4 will not make forage available to qualified livestock operators.

The Need to Continue Contributions to the Economic and Social Well-Being of People by Providing Opportunities for Economic Diversity and by Promoting Stability for Communities that Depend on Range Resources for Their Livelihood

All of the action alternatives respond to this need in varying degrees, but Alternative 3 best meets the economic and social objectives. According to the economic analysis, Alternative 3 would provide about 9.6 direct, indirect and induced jobs; would add approximately $54,300 in total value to communities; and would offer public land grazing opportunities for the existing permit holders. This alternative responds best to maintaining the traditional lifestyle for the Tiller and Drew communities.

For Alternative 2, the economic analysis determined that it would provide about 7.5 direct, indirect and induced jobs; would add approximately $46,600 in total value to communities; and would offer public land grazing opportunities for the existing permit holders. There would be some diminishment of the traditional lifestyle due to the reduction of the range program. While these values are lower than those associated with Alternative 3, Alternative 2 responds reasonably to the need for providing opportunities for economic diversity and promoting social stability in the Tiller and Drew communities. This comparison is also discussed in the following section.

For Alternative 1, the economic analysis shows that it would provide about 4.7 direct, indirect and induced jobs; would add approximately $26,000 in total value to communities; and would offer public land grazing opportunities for the existing permit holders. The traditional lifestyle would decline because of the reduction in the range program.

Alternative 4 will not meet this need because it eliminates all economic and social benefits stemming from public land grazing.

The Need to Manage Forage Producing Lands for Livestock Grazing Where Consistent with Land Management Plans

All of the action alternatives respond to this need in varying degrees or in different ways, but Alternative 2 best meets the need because it provides the most acreage for grazing in a manner that is consistent with the Forest Plan. Under Alternative 2, there are 51,950 acres of lands encompassing forage-producing areas. Alternative 1 contains 36,230 acres. Since grazing in these two alternatives would be implemented through management prescriptions in the Forest

Plan, livestock use would be consistent with its Standards and Guidelines. Monitoring has validated this premise.

Alternative 3 provides the largest total acreage, 128,790 acres, but without amendments would be implemented in manner that is not consistent with the Forest Plan for the same reasons discussed above.

Alternative 4 will not provide management of forage producing lands for livestock grazing because it discontinues the range program.

Rationale for My Decision

I believe that Alternative 2 strikes the best balance between the primary and competing issues of providing for local economic and social interests and for minimizing resource impacts livestock can cause on the range. The 1999 iteration of adaptive management focused on reducing cattle damage, particularly within Riparian Reserves and unique and mosaic habitats, that was common and unacceptable under the historic livestock program. The 2003 iteration focused on expanding the grazing program to provide increased economic opportunities for the community. Throughout this course, we ascertained through monitoring that the range program was consistent with the Forest Plan, as amended.

Alternative 2 is consistent with the Forest Plan because it is based on the management prescriptions prescribed in the Plan for integrating livestock use with other resource objectives. The utilization standards under which this alternative would be implemented defines the threshold of acceptable use for the affected prescriptions. This relationship has been validated through seven years of monitoring. This finding reduces the inherent risks of implementing the proposed grazing program and increases my confidence in its selection.

Alternative 2 represents an evolution of the Tiller Ranger District grazing program following the inception of the Northwest Forest Plan. Over the years, we listened to permittees and local citizens, the environmental community, lawmakers and other experts of various persuasions. As each spoke their passions, two general points of common understanding emerged. One was that the historic program should not be continued, and the other was that some level of public land grazing could be sustained on Tiller Ranger District. Our job was to find common ground within these sideboards.

I assessed the issues that were identified for this project. Based on this assessment, I feel Alternative 2 best meets multiple-use management for the Forest at this time. Alternative 2 provides for highest level of economic opportunity consistent with Forest Plan standards and guidelines.

Social and Economic Effects on Permit Holders and Local Communities

The communities of Tiller and Drew have historically relied on natural resources based activities, primarily the wood products industry, for their livelihood. The reduction in timber harvests have led to severe job losses, including logging, hauling, millwork, services and silvicultural contracts. Due to these economic hardships, many local residents, including permittee family members, have taken outside jobs to supplement family income, or have moved from the community to seek job opportunities elsewhere. Understandably, many residents are concerned about additional job losses affecting their standard of living and reducing their ability to maintain a traditional rural lifestyle. Several commenters voiced concerns that reductions in public land grazing opportunities will contribute to this depressed state of economic activity.

Alternative 3 emphasizes the issue of social and economic effects and best provides for these objectives. According the Economic Impact Analysis, this alternative would add $54,300 of total income to communities, a sum that is nearly 28 percent more than Alternative 2 and about twice as much as Alternative 1. The 9.6 direct, indirect and induced jobs associated with Alternative 3 exceeds the two other action alternatives by similar percentages.

Alternative 3 was designed to meet in full the public lands grazing needs of the four current permittees by proposing to permit 450 cow /calf pairs. By comparison, Alternative 1 and 2 would provide for grazing programs, but because they propose lesser maximum permitted numbers of livestock, not all permittees would be able to run their full permits. One configuration under Alternative 2 would involve three permittees being able to run full numbers, while the fourth permit would be reduced. Likewise, under Alternative 1, two permittees could run full numbers, while two permits would be reduced. The net annual revenue associated with these configurations varies from $195,906 for Alternative 3 to $96,038 for Alternative 1. Alternative 2 would generate a net annual income of $153,838. By constrast, Alternative 4 will cancel all permits, and result in no revenues to the permittees or economic benefits to local communities from public land grazing.

There would be similar effects for the social aspect of the issue. Alternative 3 would best maintain the traditional rural lifestyle. Under Alternative 2, there would be some probable changes, such as reduced reliance on raising livestock as a way of life. Ranching operations would continue under Alternative 1, but it would likely result in reduced opportunities for multi-generational ownership of livestock because family members could move from the area. Alternative 4 would most severely affect permittees' abilities to maintain viable livestock operations. Although ranching is expected to continue on private lands, output would fall drastically due to the reduction of available grazing land base.

Several commenters expressed support for ranching families and worried about the survival of the rural lifestyle that is associated with raising livestock. I understand the concern that reducing the grazing program could threaten the traditional lifeway of permittees and their families, particularly those who want to pass this livelihood to future generations. I know that there is a collective foreboding among many community residents, who fear the passing of a way of life that they find so desirable. This lifestyle is one reason people move to rural areas to escape the distractions of urban life. And I realize the potential economic consequences. This decline may require a spouse to work outside their home to support her family, or displace a family member from the community to seek employment outside the local area. In small communities such as Tiller and Drew, I know the loss of residents is potentially significant in terms of its people resources. In my capacity as a public official, I know permittee family members presently serve on the local school board; volunteer as coaches, firemen and emergency medical technicians; and are school patrons and active church members.

I am also acutely aware that resource management has changed significantly from the relatively stable period that ended in the 1990's. The fallout that is felt in communities, such as Tiller and Drew, comes from a much larger geographical and political struggle to find a way to meet the increasingly competitive demands for alternative uses of public lands. The reduction in timber harvests and the coincident elevation of water quality and old-growth resources engendered by the Northwest Forest Plan are a reflection of changing public values.

In selecting Alternative 2, I am guided by the Forest Service duty of "Serving the People…Caring for the Land." The application of this charge, both for today and for future generations, requires finding a balance that best meets our mission given the circumstances we face. I know that Alternative 2 does not provide as much economic and social benefits as Alternative 3. However, it is clear to me that Alternative 2 fully meets the Purpose and Need, and is consistent with the Forest Plan, whereas Alternative 3 only partially meets Purpose and Need, and is not consistent

with the current Forest Plan. The FEIS demonstrates that Alternative 3 does not meet the Soil Productivity Standard and Guideline #1 because it would not conform to the Forest Plan's intent for limiting detrimental soil compaction. In addition, the alternative would not be consistent with the current Forest Plan for Prescriptions C4-I and C4-II (Winter Range – Normal and Four-Part Winter Range – Optimum) because it would allow cattle to use winter range at times when forage is reserved for big-game. Finally, the alternative would not be consistent with the current Forest Plan Prescription C5-I (Wildlife – Unique Habitat, Protected) because livestock use of this habitat component would exceed incidental use. Amending the Forest Plan to enable Alternative 3 to be implemented is not in the best interests of caring for the land because the potential ensuing resource damage to soils, winter range and unique habitat would be unacceptable.

Even though Alternative 1 also meets the Purpose and Need and is consistent with the Forest Plan, Alternative 2 is clearly preferable. This preference is warranted because, between these two alternatives, Alternative 2 best responds to the economic and social issue by providing a 60 percent larger grazing program and can be implemented without jeopardizing other resource objectives. Alternative 4 is not acceptable because it does not meet Purpose and Need, and imposes an unnecessary hardship on the permittees and local communities.

Permittee Operational Feasibility

More than any operational factor, the degree of potential resource conflicts affects the ease of managing cattle on the range. The permittees are required to comply with utilization standards in the Term Grazing Permits (Part 3) or Allotment Management Plans that are intended to implement management prescriptions for integrating livestock use with other resource objectives. It is difficult to run livestock and comply with standards on high-risk grazing environments.

Several commenters stressed the importance of providing a grazing program that is operationally feasible for the permittees. The Forest responded by developing grazing strategies that focus on facilitating grazing operations and maintaining grazing capacity. Alternative 1 and 2 were designed by eliminating a high proportion of high-risk landforms from the historic allotments and providing the most resilient areas for grazing. This purposeful reduction of potential resource conflicts has greatly facilitated compliance with utilization standards, as monitoring has shown. The head month unit cost, provided by SUGA, is $18.43 for each alternative, even though the alternatives would permit different levels of maximum cattle numbers.

By comparison, Alternative 3 proposes to graze the historic range to accommodate the highest number of permitted livestock among the alternatives. This configuration would expose high-risk landforms to livestock use. However, SUGA also proposes to relax utilization standards for livestock use to compensate for potential resource conflicts. The interplay of these factors, larger grazing acreages, greater cattle numbers and high-risk landforms, translates into a complex operational situation for livestock management. The alternative's head month unit cost of $27.90, which also includes the cost of gathering cattle from outlying allotments, reflects the management intensity required for its implementation. Alternative 4 has no associated operating costs for public land grazing because the range program would be eliminated.

Alternative 1 provides for the easiest management of livestock because the allotments are inherently less likely to have potential conflicts. Through adaptive management, Alternative 2 would expand on Alternative 1 by adding three grazing areas with similar low to moderate risk grazing environments. There would only be a slightly higher level of operational effort for the additions. The difference is mainly attributable to herding cattle that are not familiar with the range and is expected to be of short-term in nature.

In selecting Alternative 2, I considered its similarities with Alternative 1 and the opportunity to provide additional grazing capacity without sacrificing operational feasibility. On this basis, I

find Alternative 2 clearly preferable. On the other hand, I did not choose Alternative 3 because it would only increase the degree of difficulty for managing the range, a track that is not consistent with our efforts to facilitate feasible operations. Finally, there is no feasibility issue with Alternative 4 since there would no longer be a range program.

Forest Service Administrative Feasibility

The Forest collects less grazing fee revenue than it costs to administer the range program. The fee is calculated by using a regional formula for the western states, but collections vary according to numbers of livestock authorized to graze. Administration budgets for the Tiller Ranger District have averaged $28,100 over the past three years. The budget covers three principal program areas, including adminstration, monitoring and range improvements.

Several commenters addressed the administrative feasibility issue by expressing concerns with respect to subsidizing the grazing program on the Tiller Ranger District for the benefit of a few local individuals. They frequently refer to the difference between revenue and cost as the "subsidy" borne by the public to support the District grazing program.

In response to these comments, I acknowledge that administrative costs will exceed revenues from grazing fees derived under the present fee schedule for all action alternatives in the FEIS. Grazing fees are calculated in accordance with Executive Order 12548, issued February 14, 1986. The fee derived by applying the grazing fee formula is the basis for charging for grazing use on National Forest System lands.

I am also mindful that there is clear Congressional intent to allow grazing on suitable range; and it is Forest Service policy to make forage available to qualified livestock operators, as well as to continue to contribute to the economic and social well-being of people by providing opportunities for economic diversity and by promoting stability for communities that depend on range resources for their livelihood. The District grazing program legally implements this intent and policy. For now, Executive Order 12548 provides the only legal basis for collecting revenues for this use.

The annual administration cost associated with each action alternative was estimated on the basis of cost factors we experienced over the years. For Alternative 1, the $22,400 yearly cost is the lowest among the alternatives, reflecting the ease of required administrative effort. This is because of the way the alternative is designed. Alternative 2 would cost an estimated $28,400 and would also require a fairly low administrative effort on the part of the District since the program would be designed in a similar manner but encompasses more grazing acreage. The cost for Alternative 3 is $34,400. This higher cost is due to several design factors affecting administration, such as increasing the allotment acreage, the season-long grazing of Drew Creek Allotment, increasing the monitoring workload and in some areas, most significantly, grazing cattle on high-risk environments. The interplay of these factors will result in the most difficult administrative situation. There would be no administrative revenues or costs associated with Alternative 4, which is the No Grazing Alternative.

Many commenters stressed the necessity of fully-funding the monitoring program because it is the basis for implementing adaptive practices and for assuring compliance with the Forest Plan. I completely agree with this assertion.

In selecting Alternative 2, I considered the projected funding levels for the District range management program. I expect the current funding level to remain relatively stable in program administration, monitoring and range improvements. I believe the District can expect allocations of approximately $28,000 per year into the future. While this funding level would easily fund Alternative 1, as well as reduce the "subsidy" by more than 25 percent, the benefits accruing from

Alternative 2, in terms of providing increases in grazing opportunities that are consistent with the Forest Plan, more than offset the savings. The $28,000 allocation will fully-fund the monitoring program for both Alterntives 1 and 2. I did not choose Alternative 3 because of the uncertainty of funding this alternative. The District has never been funded at the $34,400 level in the past. Lastly , there is no feasibility issue with Alternative 4 since there would no longer be a range program.

Detrimental Soil Conditions

Soil structure is the foundation for plant and water relationships. Under unmanaged conditions, trampling by livestock can lead to soil compaction, a process that degrades soil productivity. The Forest Plan contains a soil productivity standard that limits detrimental soil conditions to no more than 20 percent of an activity area, which is defined as a range allotment.

Several commenters pointed to the importance of protecting soil productivity. They suggested management practices to assure that soil conditions are ready for livestock use when cattle are placed on the range.

Alternatives 1 and 2 contain utilization standards that were developed to protect the soil resource. Since soils are most likely to be damaged under high soil moisture conditions, especially in the spring and fall, both alternatives require range readiness assessments to be performed to assure that soils are dry and firm within the turn-out areas before allowing cattle on the range. Furthermore, the off-dates for these alternatives remove cattle pior to the onset of the fall rains, which increases risk for soil compaction. Other standards protect wetlands, streambanks and Riparian Reserves by limiting livestock use within these habitats. These measures are expected to prevent cattle from causing detrimental soil conditions, and not exacerbate soil damage in areas where excessive compaction already exists. By comparison, Alternative 3 proposes a May 1 turn-out and does not require range readiness assessment for soils. It also extends the grazing season to November 15. In addition, this alternative has no standard for protecting streambanks; and it allows much higher livestock use in wetlands and Riparian Reserves than under Alternatives 1 and 2. There is no need for standards under Alternative 4 because the No Grazing Alternative eliminates the associated livestock-induced impacts.

In selecting Alternative 2, I considered the fact there is often a delay in authorizing turn-out for up to three weeks in May because of wet soils. Likewise, soils begin their wetted cycle in the fall with rainfall that generally commences during early November. Alternatives 1 and 2 pose minimal risks for soils damage because they schedule grazing when soil conditions are compatible with livestock use. However, Alternative 2 is preferable because it provides additional grazing capacity. Even though there would be no risks of soil damage associated with Alternative 4, I chose not to select this alternative because the risks can be acceptably mitigated under Alternative 2. I did not choose Alternative 3 because it poses a high risk of detrimental soil compaction by allowing cattle to use the range when soils are highly susceptible to damage. Based on current practices for placing and gathering cattle, soils on an estimated 4,000 acres of land could be affected by early turn-out and late use in the fall.

Winter Range Forage Use

The Forest Plan recognized the importance of providing winter forage for big game by allocating Management Area 11. The management prescriptions for this allocation gives big game priority for forage use over livestock. Browse production and spring regrowth of grasses and forbs are reserved for big game until May 1; and fall regrowth of grasses is reserved beginning October 30.

Some commenters expressed the importance of assuring adequate forage for big game. Other commenters asserted the need to extend the grazing period in the fall to benefit livestock.

Alternatives 1 and 2 do not permit turn-out prior to May 1 and require removal of all cattle from the range by October 31. Under these alternatives, any conflict arising from the two-day overlap in the fall is minimal because by October 30, most, if not all, cattle would be removed from the range. Those that remain would be contained, awaiting removal. On the other hand, while Alternative 3 proposes a May 1 turn-out, it extends the grazing season to November 15. There would be no such conflicts under Alternative 4 because it eliminates the range program.

In selecting Alternative 2, I determined that the risk of winter range conflict associated with this alternative is minimal as would also be the case under Alternative 1. However, Alternative 2 is preferable because it provides additional grazing capacity without jeopardizing big game values. My decision is supported by local Oregon Department of Fish and Wildlife assessments that the current level of cattle use in terms of timing and duration of use has not resulted in adverse impacts to big game populations on the Tiller Ranger District. Even though there would be no winter range conflicts associated with Alternative 4, I chose not to select this alternative because the conflicts can be acceptably mitigated under Alternative 2. I did not choose Alternative 3 because the extended grazing season of use is contrary to our intent for establishing a management area to protect big game habitat. Under this alternative, 20 percent of the permtted cattle numbers (about 90 cow/calf pairs if full numbers are placed on the range) would remain fairly well-dispersed within the allotments during the extended season. Because there is substantial and well-distributed winter range acreage, it is very likely that livestock would graze winter range grasses after the October 30, based on historic use. It is estimated that approximately 10 percent, or about 3,700 acres, of winter range would be subject to livestock use, mainly in the Acker Divide, Whisky Camp, Summit and Divide Allotments.

Unique Habitats

Management prescriptions in the Forest Plan contain direction for integrating livestock use within areas designated as unique habitats. The intent of this prescription is to provide maximum protection for wildlife values. With respect to livestock use, the prescription allows only incidental use on areas currently within allotments. No concentrated livestock use is permitted.

Several commenters stressed the importance for protecting unique habitats. Others expressed concerns about proposed utilization standards, as well as range trend.

Alternatives 1 and 2 were designed to eliminate significant amounts of unique habitat from grazing. Compared to the historic allotments from which they were configured, Alternative 1 removed nearly 90 percent of the unique habitats, while Alternative 2 removed 56 percent. The residual habitats are protected from livestock grazing through the application of utilization standards that implement the intent of the management prescription. Both alternatives provide for the scheduled removal of cattle beginning in September to relieve grazing pressure in Riparian Reserves and to reduce grazing on fall grass regrowth within wetlands. Furthermore, they provide for a combination of standards for meadows, wetlands and streambanks to regulate cattle use. These utilization standards are expected to provide a stable trend for range condition and plant community diversity (FEIS 71-72). Monitoring has demonstrated that these standards effectively implement incidental use.

Alternative 3, which uses the historic allotments, exposes 3,067 acres of unique habitats to grazing. These allotments are the ones where unacceptable livestock damage to unique habitats has occurred in the past. The utilization standards which implement this alternative differ considerably from Alternative 1 and 2; and do not conform to the management prescriptions.

Therefore, grazing would exceed the incidental use prescription for livestock use under Alternative 3; and would require Forest Plan amendments.

There would be no grazing damage to unique habitats under Alternative 4 because it eliminates the range program.

In selecting Alternative 2, I understand that its larger unique habitat acreage poses a higher risk of potential damage compared to Alternative 1. However, monitoring has convinced me that incidental use can be reasonably met under both alternatives. Given this finding, I chose Alternative 2 because it provides additional grazing capacity while meeting the Forest Plan prescription. Even though there would be no damage to unique habitats associated with Alternative 4, I chose not to select this alternative because the degree of damage can be acceptably mitigated under Alternative 2. I did not choose Alternative 3 because it clearly will not consistently comply with the incidental use guideline. For example, the utilization standard for dry meadows would allow livetock to consume up to 40 percent of the available forage. Allowing this level of consumption would concentrate cattle in meadows, making livestock grazing a primary, rather than an incidental, user of this habitat. This situation would occur at Bunchgrass Meadows in the Whisky Camp Allotment because its accessiblity and large acreage make it difficult to control livestock use. The standard for wet meadows under Alternative, which is based on forage consumed rather than changes in vegetation structure as is the case under Alternatives 1 and 2, would result in trampling damage to wetlands, including Oregon ash swales. This kind of damage has been amply documented through monitoring and watershed analysis. Considering that unique habitats comprise a very small percentage of the landscape, I cannot allow degradation of these important features.

Sedimentation

Livestock can cause sediment input into streams through grazing activities within Riparian Reserves. Therefore, the protection of water quality with respect to aquatic habitat is a very important consideration in designing a livestock grazing program. Low-gradient stream channels on earthflow terrain are the most susceptible to sedimentation from management activities. Aquatic habitat conflicts occur because cattle clearly prefer to graze on earthflow terrain due to its gentle gradient, abundant forage and accessible water sources.

Several commenters expressed concerns regarding protecting at-risk fish species from livestock induced sedimentation.

Alternatives 1 and 2 were designed to eliminate significant amounts of earthflow terrain from grazing. Compared to the historic allotments from which they were configured, Alternative 1 removed nearly 89 percent of this landform, while Alternative 2 removed about 79 percent. The residual areas are protected from livestock grazing through the application of utilization standards that were developed to restrict livestock use of Riparian Reserves. These standards include limitations on riparian forage use, streambank instability and changes in riparian vegetation cover. Furthermore, the staged removal of livestock in the fall, which removes 50 percent of the authorized numbers by September 30, is intended to reduce use within Riparian Reserves at a time when upland vegetation is becoming unpalatable. Monitoring has shown that these practices cumulatively reduce sediment input to aquatic habitat.

Alternative 2 builds on Alternative 1 by adding three pastures for grazing. There are no fish-bearing streams within the Pickett Butte and Collins Ridge pastures. The Joe Hall pasture contains salmonid habitat in the lower reaches of Joe Hall Creek; however, livestock historically have not overutilized Riparian Reserves within these reaches because the channels are steep and lack palatable forage.

Alternative 3, which uses the historic allotments, exposes 42,350 acres of earthflow terrain to grazing. These allotments are the ones where overgrazing of Riparian Reserves within this landform has occurred in the past because of the difficulty of controlling livestock use over large acreages. The utilization standards which implement this alternative differ considerably from Alternatives 1 and 2. Alternative 3 does not have standards for streambank stability and soil moisture readiness. Its standards for riparian use are less restrictive. Under these circumstances, livestock use of Riparian Reserves would increase, resulting in high levels of ground disturbance, including bare ground and soil displacement from hoof shear. It is therefore likely that grazing under this alternative would lead to increases in fine sediment input to streams supporting Oregon Coast coho salmon, steelhead trout and cutthroat trout. This increase may be sufficient to adversely affect spawning success for these species.

Alternative 4 poses no potential for livestock-induced sedimentation because it eliminates the range program.

In selecting Alternative 2, I considered each alternative with respect to meeting the Aquatic Conservation Strategy (ACS) objectives for Riparian Reserves. Alternatives 1 and 2 will not retard or prevent attainment of ACS objectives. Given the choice between these two alternatives, I chose Alternative 2 because it provides for a higher grazing capacity without additional, significant impacts to aquatic habitat. Even though there would be no risk of sedimentation associated with Alternative 4, I chose not to select the No Grazing Alternative because the risks can be acceptably mitigated under Alternative 2.

It has not been demonstrated to my satisfaction that Alternative 3 would meet ACS objectives. It is unlikely that this expanded program would protect already degraded stream channels; and would likely lead to increased sedimentation from trampling of streambanks and erosion from overutilized areas. Alternative 3 would violate GM-1, a Standard and Guideline in the Northwest Forest Plan that requires adjusting grazing practices to eliminate impacts that retard or prevent attainment of ASC objectives. The proposed adjustments under Alternative 3 will not be sufficient to meet Standard and Guidelines for Riparian Reserves.

Stream Morphology

Livestock can significantly alter stream channel shape through trampling in Riparian Reserves. Low gradient channels and wetlands with well-developed floodplains are particularly attractive to livestock and are also sensitive to damage. On these particular landforms, the undisturbed channel configuration is deep, winding and narrow for streams; and marshy/poorly-drained for wetlands. In addition to maintaining high ground water levels and cold-water temperatures, these morphological attributes provide for superior aquatic habitat through high instream water depths, increased channel complexity and minimal sedimentation. Trampling can disrupt and erode streambanks, trigger channel widening and decrease the sinuousity of streams. In the project area, low gradient stream channels in earthflow terrain have the greatest potential to be affected by grazing through streambank disturbances, compaction and hoof shear.

The rationale for the stream morphology analysis is very similar to the previous one for sedimentation because the same features and disturbance mechanisms are involved. Alternatives 1 and 2 eliminate significant amounts of earthflow terrain. These alternatives also incorporate utilization standards intended to restrict livestock use of Riparian Reserves on the residual landform and focus use on more resilient upland areas. Monitoring has shown light utilization of Riparian Reserves and low levels of streambank disturbance when grazing is conducted according to these standards.

Alternative 3 would be implemented on the historic allotments as described in the prior discussion on sedimentation. There is ample documentation of unacceptable livestock-caused damage to stream morphology under the historic program. Similar impacts are expected in implementing Alternative 3 because it lacks standards to protect streambank stability and soil moisture readiness; and the standards for regulating livestock use in Riparian Reserves are less restrictive than Alternatives 1 and 2. For example, at a site scale, Alternative 3 poses the highest risk to wetland systems within earthflow terrrain in Jackson Creek that is avoided by Alternatives 1 and 2. Since this landform encompasses about 36 percent of this watershed, the level of grazing proposed by Alternative 3 represents a substantial potential impact on the stream/wetland morphology and function at the 5th Field scale.

Alternative 4 poses no potential for disturbance to stream channel configuration because it eliminates the range program.

In selecting Alternative 2, I considered each alternative with respect to meeting the Aquatic Conservation Strategy objectives for Riparian Reserves. Alternatives 1 and 2 will not retard or prevent attainment of ACS objectives. Given the choice between these two alternatives, I chose Alternative 2 because it provides for a higher grazing capacity without additional, significant impacts to aquatic habitat. Even though there would be no risk of impacts to stream channel configuration associated with Alternative 4, I chose not to select this alternative because the risks can be acceptably mitigated under Alternative 2.

It has not been demonstrated to my satisfaction that Alternative 3 would meet ACS objectives. Its utilization standards will allow increased livestock use of Riparian Reserves, which in turn would likely destabilize low gradient earthflow stream channels where grazing occurs. It would create additional levels of riparian disturbance in low gradient tributaries of Jackson Creek as well as in Elk Creek to cumulatively adversely affect aquatic habitat. Alternative 3 would violate GM-1. This Riparian Reserve standard and guideline calls for adjusting grazing practices to eliminate impacts that retard or prevent attainment of ASC objectives. The proposed adjustments under Alternative 3 will not be sufficient to meet GM-1.

Cumulative Effects from Ongoing and Proposed Activities

In deciding to go forward with Alternative 2 of the Drew Creek, Diamond Rock and Divide Cattle Allotments Project, I reviewed the other past, present, and proposed activities within the watersheds in the project area (FEIS IV 57-58). Of concern is how these actions may cumulatively affect water quality, fish habitat, and listed or sensitive species. During the analysis, I directed the IDT to consider the likely effects of past, present, and future activities in combination with the proposed activities of the Drew Creek, Diamond Rock and Divide Cattle Allotments Project. The thorough analysis of effects (FEIS Chapter IV) did not indicate likely significant cumulative effects. This finding is primarily attributable to the allotment configurations that eliminated significant amounts of high-risk envrionments, or landforms, from Alternative 2 and the application of utilization standards that were developed to restrict livestock use in Riparian Reserves and unique habitats.

Consultation with USFWS and NOAA

A Letter of Concurrence was issued by the U.S. Fish and Wildlife Service on February 18, 2005 on Alternative 2 of the Drew Creek, Diamond Rock and Divide Cattle Allotments Project. The

Letter of Concurrence covers the Northern Spotted Owl and the Northern Bald Eagle meeting all requirements under Section 7 of the Endangered Species Act.

The Umpqua National Forest consulted with National Marine Fisheries Service (NMFS)/NOAA Fisheries at various times for the allotments and pastures that comprise Alternative 2. On August 20, 1999, NMFS issued a Letter of Concurrence for the Southern Oregon/Northern California coho salmon. On August 24, 1999, NMFS also issued a Biological Opinion for the Umpqua River cutthroat trout (Oregon Coast cutthroat trout) and the Oregon Coast coho salmon. The cutthroat trout was subsequently delisted in April, 2000. On July 17, 2003 NOAA Fisheries issued a Letter of Concurrence for Oregon Coast coho salmon for the Pickett Butte and Collins Ridge Pastures. On February 22, 2005, NOAA Fisheries concluded there would be "No Effect" to the Oregon Coast coho salmon for the proposed Joe Hall Pasture. On January 19, 2006, the National Marine Fisheries Service determined the the Oregon Coast coho salmon is not warranted for listing. The consultation on the Southern/Northern California coho salmon meets the requirements under Section 7 of the Endangered Species Act. Consultations on the Oregon Coast coho salmon met the requirements under under Section 7 of the Endangered Species Act while the species was listed.

Consultation with NOAA Fisheries on Essential Fish Habitat (EFH) for the Southern Oregon/Northern California coho salmon, Oregon Coast coho salmon, Southern Oregon/Northern California Chinook salmon and Oregon Coast Chinook salmon under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) is not warranted because a determination has been made that the project would not adversely affect Essential Fish Habitat (FEIS IV 115).

Forest Plan Consistency

The Umpqua National Forest Land and Resource Management Plan and its amendments have been reviewed and a determination made that this decision is consistent with them. The 1990 Umpqua National Forest Land and Resource Management Plan, as amended, provided the framework for the development of all the alternatives. The actions in this project comply fully with the goals of the Forest Plan, as amended by the Northwest Forest Plan and its amendments. It complies with Management Area Direction (LRMP 107-141), Management Prescriptions (LMRP 143-224), Standards and Guidelines of the Umpqua National Forest Plan (LRMP Chapter IV) and Northwest Forest Plan for Late-Successional Reserves (C 9-21), Administratively Withdrawn Areas (C 29), Riparian Reserves (C 30-38) and Matrix (C 39-48).

Legal Requirements and Policy

In reviewing the FEIS and actions involved in Alternative 2, I have concluded that my decision is consistent with the following laws and requirements:

The National Historic Preservation Act: The Oregon State Historic Preservation Officer (SHPO) has been consulted concerning proposed activities in the Drew Creek, Diamond Rock and Divide Cattle Allotments project area. A report documenting the inventory for this project has been submitted to the Oregon State Historic Preservation Office fulfilling the requirements of the 1995 Programmatic Agreement, No. 94-06-59-16, between the Advisory Council on Historic Resources, State Historic Preservation Officer, and Region 6 of the Forest Service. An appropriate inventory was conducted for this undertaking and properties which may be eligible for inclusion in the National Register of Historic Places have been located. Avoidance measures will be implemented as per stipulations in the Programmatic Agreement.

The National Environmental Policy Act (NEPA), 1969: NEPA establishes the format and content requirements of environmental analysis and documentation, such as the Drew Creek, Diamond Rock and Divide Cattle Allotments Project. The entire process of preparing an Environmental Impact Statement was undertaken to comply with NEPA.

The Endangered Species Act of 1973, as amended: A biological assessment was prepared to document possible effects of proposed activities on the threatened Northern Spotted Owl, Northern Bald Eagle, Southern Oregon/Northern California coho salmon and the Oregon Coast coho salmon. As documented above, appropriate coordination and consultation with USFWS and NOAA Fisheries have been completed.

The National Forest Management Act (NFMA), 1976: All alternatives were developed to be in full compliance with NFMA.

Clean Air Act Amendments, 1977: Alternative 2 will meet the National Ambient Air Quality Standards. No conflicts are expected with the Oregon State Implementation Plan and the Oregon State Smoke Management Plan.

The Clean Water Act, 1972: Alternative 2 will meet and conform to the Clean Water Act as amended in 1972. This act establishes a non-degradation policy for all federally proposed projects. Alternative 2 meets anti-degradation standards agreed to by the State of Oregon and the Forest Service, Region 6, in a Memorandum of Understanding (Forest Service Manual 1561.5). This will be accomplished through planning, application, and monitoring of Best Management Practices (BMPs). Site-specific BMPs have been designed to protect beneficial uses.

Satisfaction of State Forest Worker Safety Codes: The Oregon Occupational Safety and Health Code for Forest Activities (OAR 437, Division 6) regulations will be met when Alternative 2 is implemented. There are hazards asssociated with managing cattle on the range, particularly while working cattle on horseback. There are no known occurrences of serious injuries.

Other Policy or Guiding Documentation: A Biological Evaluation was prepared to assess potential effects to sensitive species as identified by the Regional Forester. This evaluation determined that while there may be impacts to individual sensitive species, those effects are not likely to contribute to a trend towards federal listing or loss of viability of the population or species for Alternative 2.

Public Participation

The NEPA scoping process (40 CFR 1501.7) was used to solicit public participation, to refine the scope of this project, and to identify preliminary issues to be addressed. The Forest Service sought information, comments, and assistance from Federal, State, and local agencies, the Tribes, and other groups and individuals interested in or affected by the Proposed Action. The public was provided numerous opportunities to participate in the Drew Creek, Diamond Rock and Divide Cattle Allotments Project.

The Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, and the Cow Creek Band of Umpqua Tribe of Indians were consulted. Personal contacts were made with representatives of all three tribes once scoping began to assure that they receive enough information about project. No concerns were expressed by the tribes.

The Environmentally Preferable Alternative

In this ROD, I have described the selected alternative and given rationale for its selection. It is also required by law that one or more environmentally preferable alternatives be disclosed. Based on regulations, the environmentally preferable alternative is not necessarily the alternative that will be implemented and it does not have to meet the underlying need for the project. It does, however, have to cause the least damage to the biological and physical environment and best protect, preserve, and enhance historical, cultural, and natural resources [Section 101 NEPA; 40 CFR 1505.2(b)].

In the case of the Drew Creek, Diamond Rock and Divide Cattle Allotments Project, I have determined that Alternative 4 is the environmentally preferable alternative. Alternative 4 is the No Grazing Alternative. By eliminating the livestock grazing program, all cattle-related resource impacts would cease within the allotments.

Alternatives 1 and 2 are not environmentally preferable. Although they provide resilent grazing environments and can be implemented to meet the Forest Plan, as amended, there still are risks, albeit very low risks, for grazing-induced impacts to Riparian Reserves and unique habitats.

Alternative 3 is not environmentally preferable because it does not sufficiently adjust livestock grazing parameters from the historic program. It does not reconfigure the historic allotments to eliminate high-risk landforms where livestock use will cause resource significant resource conflicts. The utilization standards lack provisions for protecting soils and for restricting use of Riparian Reserves and unique habitats. Furthermore, it extends the grazing season in the fall. As a result, Alternative 3 will not meet ACS objectives for Riparian Reserves; and would require three Forest Plan amendments to change standards and guidelines to accommodate the proposed grazing level in order for the alternative to be legally implemented.

Mitigation Measures

Mitigation measures are site-specific management activities designed to reduce the adverse impacts of livestock use. These measures, added to the design features developed for Alternative 2, represent a suite of practical means that will minimize environmental harm. Mitigation measures will be implemented through project design, Term Grazing Permits, Allotment Management Plans, Annual Operating Instructions and monitoring by Forest Service personnel.

As part of my decision, I am choosing to implement the mitigation measures identified in the FEIS (FEIS II 28-31). I am confident that the selected mitigation measures will adequately lessen or prevent adverse effects for the following reasons: the selected mitigation measures are practices that have been successfully used in the past; are State-recognized Best Management Practices for protecting water quality; or are adaptations based on monitoring. I have decided to monitor the implementation of these measures and, in some instances, to monitor their effectiveness, as described in the following section.

Monitoring

Monitoring of the Drew Creek, Diamond Rock and Divide Cattle Allotments Project is designed to accomplish three purposes: 1) to assure that all aspects of the project are implemented as intended; 2) to determine that the effects of the practices are consistent with the intent of the Forest Plan; and 3) to allow for adaptive management if it is found that practices are not being

implemented correctly or are not having the desired effects. The monitoring elements, along with the mitigation measures and compliance with the Term Grazing Permit, Allotment Management Plan and Annual Operating Instructions represent the enforcement program for this decision.

The following monitoring items described in Chapter II, pages 28-31 of the FEIS are a part of my decision. Those required by law or the Forest Plan are mandatory under this decision. Nearly all of the monitoring elements fall within the category of managing the range to standard, which assures that the permits are implemented as intended. The other monitoring elements assure that use and practices produce outcomes that are consistent with the intent of the Forest Plan, as amended. The findings from all elements are bases for adaptive management.

Elements required by law or as a Forest Plan Standard:

- Allotments will be monitored to assure that they are administered to standard on an annual basis. Allotments are considered to be administered to standard when the range manager, with the assistance of various resource specialists, successfully implements direction found in the Forest Plan, Term Grazing Permits, Allotment Management Plans, Annual Operating Instructions, as well as other implementing documents, such as Biological Opinions and evaluations developed pursuant to ESA. This element also includes monitoring for compliance with utilization standards.
- Forage utilization will be monitored to comply with incidental use for unique and mosaic habitats (Prescription C5-I LRMP IV 200) on an annual basis. Monitoring will be done by the range manager, wildlife biologist and permittees.
- Selected riparian, wetland and meadow sites will be monitored for soil and vegetation condition and trend on an annual basis. Soil condition must meet soil productivity standards (S&G 1 LRMP 67). Soil monitoring will be done by the range manager, soil scientist and permittees. Vegetation is to be managed for stable or upward trend (LRMP 40). Vegetation monitoring will be done by the range manager, botanist and permittees.
- Key stream reaches will be monitored for compliance with ACS objectives with respect to Riparian Reserves (S&G GM 1-3 NWFP C 33-34) on an annual basis. Monitoring will be done by the range manager, fisheries biologist or hydrologist and permittees.

Consistency with NFMA Requirements

In all other respects, I find this decision to be consistent with the Umpqua Forest Plan and with the requirements of the National Forest Management Act implementing regulations, specifically:

Grazing Resource
Alternative 2 includes lands suitable for grazing (36 CFR 219.12).

Maintaining Sustainability
Alternative 2 is consistent with the sustainability requirements of of 36 CFR 219.10.

Implementation

I have reviewed the Drew Creek, Diamond Rock and Divide Allotments Project FEIS, and its associated appendices. I feel there is adequate information within these documents to provide a

reasoned choice of action. I am fully aware of the possible adverse environmental effects that cannot be avoided, and the irreversible or irretrievable commitment of resources associated with Alternative 2. I have determined that these risks will be outweighed by the likely benefits (FEIS, Chapter IV). Implementing Alternative 2 will cause no unacceptable cumulative impact to any resource. There will be no significant impact to cultural resources, consumers, civil rights, minority groups, environmental justice, or women. There are no unusual energy requirements for implementing Alternative 2.

Implementation may occur on, but not before the 15th business day following the date of appeal disposition. In the event of multiple appeals, the implementation date will be established following the last appeal deposition (36 CFR 215.9(b)). If no appeal is filed, implementation may begin on, but not before, the 5th business day following the close of the appeal filing period (36 CFR 215.9(a)).

Procedure for Changes during Implementation:

Minor changes may be needed during implementation to better meet on-site resource management and protection objectives.

In determining whether and what kind of further NEPA action is required, I will consider the criteria for whether to supplement an existing Environmental Impact Statement in 40 CFR 1502.9(c) and FSH 1909.15, sec. 18, and in particular, whether the proposed change is a substantial change to the intent of the selected alternative as planned and already approved, and whether the change is relevant to environmental concerns. Connected or interrelated proposed changes regarding particular areas or specific activities will be considered together in making this determination. The cumulative impacts of these changes will also be considered.

The intent of field verification prior to my decision was to confirm allotment or pasture boundaries and to determine the feasibility and location of key areas. Minor adjustments may be needed for resource protection, to improve monitoring, and to better meet the intent of my decision. These minor changes will not present sufficient potential impacts to require any specific documentation or action to comply with applicable laws.

Appeal Opportunities and Process

My decision is subject to appeal by individuals or organizations who submitted substantive comments during the comment period pursuant to Forest Service regulations at 36 CFR 215.7. Appeal of this decision must be fully consistent with 36 CFR 215.14 (Content of an Appeal). The notice must be filed hard copy with the Appeal Deciding Officer, faxed, hand delivered or sent electronically. Appeals must be postmarked or delivered to the Appeal Deciding Officer within 45 days of the date the legal notice for this decision appears in the Roseburg News-Review of Douglas County, Oregon. The publication date of the legal notice in the News-Review is the exclusive means for calculating the time to file an appeal; those wishing to appeal should not rely on dates or timeframes provided by any other source.

Appeals should be mailed to:

Appeal Deciding Officer
Attn: RPM – Appeals
333 SW First Ave.
Portland, OR 97208-3623

The FAX number is (503) 808-2255.

Appeals may be hand delivered to the above address between 8:00 AM and 4:30 PM, Monday through Friday, except legal holidays.

Send electronic appeals to: appeals-pacificnorthwest-regional-office@fs.fed.us

Electronic appeals must be submitted as part of the actual e-mail message, or as an attachment in Microsoft Word (.doc), rich text file format (.rtf) or protable document format (.pdf), only. E-mails submitted to e-mail addresses other than the one listed above, or in formats other than those listed, or containing viruses, will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail.

Simultaneously, a copy must be sent to Forest Supervisor James A. Caplan (Deciding Officer); Umpqua National Forest; 2900 Stewart Parkway; Roseburg, OR 97470; FAX, (541) 957-3495; e-mail: appeals-pacificnorthwest-umpqua@fs.fed.us.

My decision may be implemented five days after the close of the appeal period if no appeal is filed. If an appeal is filed, the decision will not be implemented until 15 days following the date of the appeal disposition.

Contact Person

For additional information concerning the specific activities authorized with my decision you may contact:

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James A Caplan

James A. Caplan
Forest Supervisor, Umpqua National Forest

3/13/06

Date Signed

MAR 22 2006

Date Published